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# LETTER DATED 11 FEBRUARY 2000 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have been instructed by my Government to bring to your attention some of the most conspicuous instances of the violation of, or the failure to implement, the provisions of Security Council resolution 1244 (1999) of 10 June 1999 by the international security and civil presences since their deployment in Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia, eight months ago.

1. The United Nations Interim Administration in Kosovo (UNMIK) and the Kosovo Force (KFOR) have failed to demilitarize "the Kosovo Liberation Army (KLA) and other armed Kosovo Albanian groups" (paras. 9 (b) and 15) and to establish "a secure environment" (para. 9 (c)). As a result, terrorism in the Province has escalated at an unprecedented pace, so that the number of terrorist attacks since the arrival of KFOR and UNMIK has increased 11-fold: 4,249 terrorist attacks, mainly against Serbs and other non-Albanians, have been committed in the period from 12 June 1999 to date, in which 889 persons have been killed, 784 wounded and 834 abducted.

The escalation of ethnic Albanian terrorism is evidenced by the upsurge in the number of terrorist attacks committed recently: the shelling of the Serbian village of Gorazdevac on 7 January, the gruesome killing of the four members of the Muslim Skenderi family in Prizren on 11 January, the killing of 3 Serbian returnees in the village of Pasjane on 16 January, the mortar attack on a bus of the Office of the United Nations High Commissioner for Refugees (UNHCR), ferrying Serbs, on 2 February in which two persons were killed and several wounded, the throwing of a hand grenade in a cafe in Kosovska Mitrovica on 3 February in which 30 Serbs were wounded, armed attacks on the Serbian villages of Banje, Svinjare and Suvo Grlo on 5 February, the attacks on Lipljan and Bresje on 7 February and the mortar attack on another UNHCR bus, ferrying Serbian returnees, in the village of Staro Gacko near Lipljan on 9 February. These atrocities have enraged the Serbian community throughout the Province and shattered their trust in the ability and will of the international presences to provide the protection mandated by the resolution.

Ethnic Albanian terrorist separatists are also responsible for the destruction of more than 50,000 homes and a campaign of wiping out the Serbian

historical heritage in Kosovo and Metohija. Eighty-two (82) churches and monasteries have been destroyed or burned down, as well as a large number of monuments to stalwarts of Serbian culture and history.

Turning a blind eye to these atrocities by KFOR and UNMIK has accounted for the ethnic cleansing of more than 350,000 Serbs, Montenegrins, Roma, Muslims, Turks, Goranci and other non-Albanians.

2. By his regulations, aimed at severing Kosovo and Metohija from the constitutional, legal, economic, customs, monetary and banking systems of the Federal Republic of Yugoslavia and the Republic of Serbia, the Special Representative of the Secretary-General of the United Nations in Kosovo and Metohija and head of UNMIK has acted against "the commitment ... to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia" (tenth preambular para.) and "the principles of sovereignty and territorial integrity of the Federal Republic of Yugoslavia" (annex 2, para. 8), as well as against his own mandate. In wanton disregard of the provisions contained in the said paragraphs, the Special Representative and head of UNMIK has illegally and without consulting legal representatives of the Republic of Serbia and the Federal Republic of Yugoslavia established the so-called Interim Administration Council, a de facto provincial "Government", comprised exclusively of Albanians, mostly leaders of the KLA and Albanian separatist parties, in an attempt to legalize an ethnically pure Kosovo and Metohija and sever its ties with the Republic of Serbia and the Federal Republic of Yugoslavia.

The establishment of the missions of some countries in Kosovo and Metohija without the consultation and agreement of the Government of the Federal Republic of Yugoslavia and the recent proposal for a draft regulation of the Special Representative of the Secretary-General of the United Nations and head of UNMIK, entitled "Immunities and Privileges Accorded to Foreign Government Liaison Offices in Kosovo", providing for the possibility of foreign States to open their liaison offices in Kosovo and Metohija, grossly violate the Charter of the United Nations, the Vienna Conventions on diplomatic and consular relations and the Convention on the Privileges and Immunities of the United Nations, as well as the international practice in this field.

By undertaking to carry out civil registration and prepare elections in Kosovo and Metohija without the participation of the competent authorities of the Republic of Serbia and the Federal Republic of Yugoslavia and in the conditions of terror against, and the ethnic cleansing of, Serbs and other non-Albanians and the illegal presence in this Serbian Province of more than 200,000 Albanian citizens from Albania proper or from abroad, UNMIK and its head have acted not only against the said provisions of the resolution, but also against the democratic principles relative to the holding of free and fair elections all over the world.

By issuing personal identification documents UNMIK has encroached upon one of the basic prerogatives of sovereign States.

By constructing military bases and conducting military exercises in the sovereign territory of the Federal Republic of Yugoslavia without the consent of the Government of the Federal Republic of Yugoslavia, KFOR (NATO) is in flagrant

violation of the resolution and in support of ethnic Albanian terrorism and separatism, destabilizing the entire region.

3. KFOR and UNMIK have failed to establish "a secure environment in which refugees and displaced persons can return home in safety" (para. 9 (c)) and to ensure a "safe and free return of all refugees and displaced persons" (annex 1, fifth subparagraph, and annex 2, para. 7). As a result, the remaining Serbs in this Serbian Province have been subjected to constant terror and provocations and herded into several enclaves. The most striking evidence is provided by the months-old blockade of Orahovac by ethnic Albanian terrorist separatists who have turned the Serbian part of this town into a Nazi-like ghetto.

4. By failing to ensure "public safety and order" (para. 9 (d)), KFOR and UNMIK have become responsible for lawlessness and chaos and accomplices in the ethnic cleansing and genocide committed against the Serbian people in the cradle of its State and civilization. Turning a blind eye to these practices, KFOR and UNMIK have removed the prospect of ever reaching the stated goal of the international community of preserving the multi-ethnic, multi-religious and multicultural nature of this Serbian Province.

5. By failing to secure the international borders of the Federal Republic of Yugoslavia in the section of Kosovo and Metohija towards Albania and Macedonia, KFOR has enabled the influx of over 200,000 citizens of foreign States, predominantly of Albania. A large number of these illegal immigrants are linked to organized international crime and terrorism, narco-mafia, illicit trade in arms, human smuggling, juvenile crime and prostitution and are responsible for the criminalization of Kosovo and Metohija.

6. The postponement of the return of the Army of Yugoslavia and Serbian police personnel is in outright violation of the resolution (annex 2, para. 6) and can only serve to encourage ethnic Albanian terrorist separatists in the pursuit of their goals.

In bringing these instances of the violation of, and the failure to implement, some of the most important provisions of Security Council resolution 1244 (1999) by the international security and civil presences in Kosovo and Metohija, I take the opportunity to reiterate the demand of the Government of the Federal Republic of Yugoslavia that the Security Council take most energetic steps to ensure the implementation of the resolution and to redress the present situation.

To that end, the Government of the Federal Republic of Yugoslavia demands that the illegal regulations of the Special Representative of the Secretary-General of the United Nations be rescinded and that the functioning of the State and public services, such as the customs and border regimes, PTT, the power supply system, railways and banking, be brought back in accord with the laws of the Republic of Serbia and the Federal Republic of Yugoslavia. The Government of the Federal Republic of Yugoslavia also demands that the Yugoslav border, customs and passport control authorities return to the Yugoslav international borders in the section of Kosovo and Metohija.

In posting the demands, the Government of the Federal Republic of Yugoslavia wishes to point out that it will consider null and void and without any legal effect all decisions and regulations of the international security and civil presences in Kosovo and Metohija which are contrary to Security Council resolution 1244 (1999).

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIĆ
Chargé d'affaires a.i.

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